

Applicant Name: _____ FEIN No: _____

Utah Viatical Settlements Application Checklist

This application checklist is intended to help in assembling all necessary information to be filed with the Provider of Viatical Settlements Application. Please be sure to complete the checklist by appropriately marking the boxes on the left side of the page prior to submitting your application package for review. The completed checklist should be attached to the top of the application package. Boxes to the right of each item are to assist the regulator in their review.

Regulator Use Only

1. **Application Form** (pursuant to R590-222-5(1)(c)(i)) ☐
☐ Complete the Utah Provider of Viatical Settlements Application.
☐ Use application provided on the department's website
2. **Filing Fee** (see applicable fees on application form) ☐
☐ Check made payable to UID.
☐ Include payment with application packet.
3. **Articles of Incorporation** ☐
☐ Provide current Articles of Incorporation (if corporation) or other documents establishing the organization (i.e. Partnership Agreement etc.).
4. **Bylaws** ☐
☐ Provide copy of most recent Bylaws (if corporation).
5. **Evidence of Financial Responsibility** ☐
☐ Provide evidence of financial responsibility in the amount of \$50,000.
☐ Evidence must be in accordance with R590-222-5(1)(c)(v).
6. **Plan of Operation** (pursuant to 31A-23a-117(2)(a)) ☐
☐ Provide 5-year proforma with underlying assumptions
☐ Provide a descriptive narrative regarding items indicated on application
7. **Antifraud Plan** ☐
☐ Obtain Content Checklist and Certification for the Antifraud Plan from the department's website.
☐ Provide an Antifraud Plan that is in accordance with the Content Checklist and Certification and include both the plan and the certification in the application packet.
8. **Certificate of Good Standing** (pursuant to 31A-23-117(2)(b)) ☐
☐ Provide an original Certificate of Good Standing from the state of domicile. If the state of domicile does not require licensure, then a statement from the licensed state in which the provider transacts the largest percentage of it business is to be provided.
9. **Uniform Consent to Service of Process** ☐

- ☐ Attach an original, executed Service of Process form. Use the NAIC form located at <http://www.naic.org/ucaa/forms/newform12.doc>

10. **NAIC Biographical Affidavit**

☐

- ☐ Provide completed NAIC Biographical Affidavit for each Officer, Director, and Controlling Person as listed on the application.
- ☐ Use the NAIC form as contained at <http://www.naic.org/ucaa/forms/newform11.doc>.

UTAH PROVIDER OF VIATICAL SETTLEMENTS **APPLICATION**

State Office Building, Room 3110
Salt Lake City, UT 84114
(801) 538-3800

Provider Number:

Date: _____

Applicant Name: _____

Street Address: _____

Mailing Address: _____

City, State Zip: _____

Telephone Number: _____ Toll Free Number _____

Email Address: _____ Website Address _____

Fax Number: _____

FEIN #: _____

Name of Contact Person for Regulatory Matters: _____

FEES (Initial application fees must accompany this application)

Initial application: \$1,050 (\$1,000 Initial Application Fee + \$50 Annual E-Commerce Fee)

Renewal application: \$950 (\$300 Renewal Application Fee + \$600 Annual Service Fee + \$50 Annual E-Commerce Fee)

Renewal application fees will be invoiced each year – failure to pay the invoiced fees by the due date of the invoice will result in the license being lapsed and may subject the licensee to administrative penalties and forfeitures.

Form of Organization:

☐ Proprietorship
☐ Partnership
☐ Corporation (State & Date of Incorporation: _____)
☐ Other (Describe: _____)

Is Provider registered with the Utah Corporations Division ☐ Yes ☐ No

State of Domicile: _____

List all Officers, Directors & Controlling Persons¹ of Provider (Please attach additional sheet if necessary) R-590-222-5(1)(c)(iii)

For each officer, Director, and Controlling Person listed above, attach a completed biographical affidavit. Use the NAIC prescribed template located at <http://www.naic.org/ucaa/forms/newform11.doc>. The biographical affidavits should sufficiently describe each individual's viatical settlement experience, training, and education in accordance with U.C.A. §31A-23-221(3).

Please provide in narrative form (as part of the proposed Plan of Operations referenced on the checklist.) the following information:

1. What market does the applicant intend to target?
2. Who will produce business for applicant and how will these people be recruited, trained, and compensated?
3. Describe the organizational structure of applicant.
4. Describe the procedures used by applicant to insure that viatical settlement proceeds will be sent to viator within 3 business days as required by U.C.A. §31A-36-110(3).
5. Provide a detailed description of procedures used by applicant to insure that the identity, financial information, and medical information of an insured is not disclosed as required by U.C.A. §31A-36-106.

Please provide the following contact information:

¹ A Controlling Person is any person who is a partner (other than a limited partner), officer, director, or anyone having an ownership interest of 10% or more of the Provider, whether that person is an individual or other entity.

Statutory Home Office Address

Street _____
P0 Box _____
City _____
State/ZIP _____

Contact Name _____
Phone Number _____
Toll Free Number _____
Fax Number _____
Email _____

Mailing Address

Street _____
P0 Box _____
City _____
State/ZIP _____

Contact Name _____
Phone Number _____
Toll Free Number _____
Fax Number _____
Email _____

Company Renewal Contact

Street _____
P0 Box _____
City _____
State/ZIP _____

Contact Name _____
Phone Number _____
Toll Free Number _____
Fax Number _____
Email _____

Complaints Contact

Street _____
P0 Box _____
City _____
State/ZIP _____

Contact Name _____
Phone Number _____
Toll Free Number _____
Fax Number _____
Email _____

Registered Agent-service of process in Utah

Street _____
P0 Box _____
City _____
State/ZIP _____

Contact Name _____
Phone Number _____
Toll Free Number _____
Fax Number _____
Email _____

Other states where provider conducts the business of viatical settlements:
(Attach additional sheet if necessary)

_____	_____	_____
_____	_____	_____
_____	_____	_____

All applicable items indicated on the application checklist must be submitted in connection with this application.

All viatical settlements forms must be filed in accordance with U.A.C. Rule R590-222-14, Filing of Forms. U.C.A. § 31A-36-105 requires filing of a viatical settlement form before using the form in the State of Utah.

I certify that I have read and am familiar with the requirements of Chapter 36 of the Utah Insurance Code and that the Provider meets all requirements to qualify as a Provider of Viatical Settlements in the State of Utah. I further certify that, after due

inquiry, the information provided in this application is true, correct, and complete to the best of my knowledge and belief.

Date: _____ Authorized Signature: _____

Printed Name & Position: _____
